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APPLICATION NO.	FILING DATE	FIRST-NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,135	01/23/2004	Yuji Tomiyama	0388-040112	6069

28289 7590 12/28/2006  
THE WEBB LAW FIRM, P.C.  
700 KOPPERS BUILDING  
436 SEVENTH AVENUE  
PITTSBURGH, PA 15219

EXAMINER
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AVERY, BRIDGET D

ART UNIT	PAPER NUMBER
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3618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/28/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oshikawa et al. (US Patent 6,655,486) in view of Knutson (US Patent 3,897,847).

Oshikawa et al. teaches a working vehicle comprising: a vehicle body; a radiator (3) mounted on the vehicle body; a hood provided at a front portion of the vehicle body for covering the radiator (3); the hood including a hood body, a front-face grill portion provided at a front face of the hood body for introducing ambient air to the interior of the hood, and a pair of side-face grill portions (36) provided at right and left side faces of the hood body for introducing ambient air into the interior of the hood; and a rectifier member (40) for controlling the flow of ambient air introduced from a rear portion of the side-face grill portion (36). See column 5, lines 18-30. Re claim 5, the portions of the covers (16A, 16B) surrounding the grill/ports (38) is a flange on which the rectifier/plate (40) is formed.

Oshikawa et al. lacks the teaching of a condenser.

Knutson teaches an air conditioner and a condenser (48). The condenser (48) is positioned forwardly of a radiator (38).

Based on the teachings of Knutson, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to add an air conditioner and condenser to the working vehicle of Oshikawa et al. to provide cooling for the driver during elevated temperatures. It would have been obvious to one of ordinary skill in the art to modify the leading end portions of the rectifier member of the combination of Oshikawa et al. and Knutson to direct ambient air more forwardly of condenser to improve cooling efficiency.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oshikawa et al. ('486) and Knutson ('847).

The combination of Oshikawa et al. and Knutson teach the features described above.

The combination of Oshikawa et al. and Knutson lack the teaching of a mesh member having a progressively increased aperture.

However, the provision of a progressively increased aperture is a change in size that would have been obvious to one having ordinary skill in the art, at the time the invention was made, to regulate the flow of air.

Art Unit: 3618

2. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oshikawa et al. ('486) and Knutson ('847), as applied to claim 1 above, and further in view of Templeton et al. (US Patent 5,634,525).

The combination of Oshikawa et al. and Knutson teach the features described above.

The combination of Oshikawa et al. and Knutson lack the teaching of a seal.

Templeton teaches a seal (42, 45), a hinge (21) and a reinforcing frame member/rib (39).

Based on the teachings of Templeton, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to add a seal and a reinforcing hinge to the combination of Oshikawa et al. and Knutson to prevent hot air from re-circulating from the engine compartment to be passed back through the radiator.

### ***Response to Arguments***

3. Applicant's arguments filed October 17, 2006 have been fully considered but they are not persuasive. Contrary to applicant's arguments, the work vehicle of Oshikawa et al. teaches "a front-face grill portion" (23). The grill portion (23) is located on a "front-face" of the cover body, as broadly claimed by applicant.

### ***Conclusion***

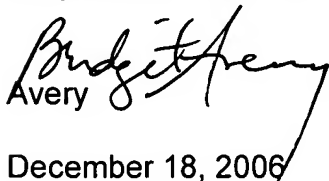
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Teich shows an enclosure for vehicle engine compartment.

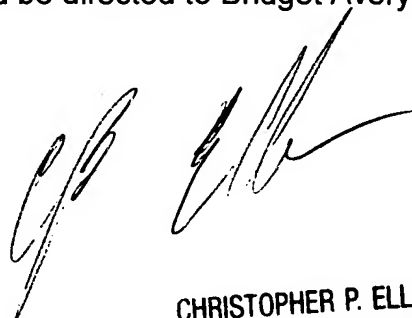
5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication should be directed to Bridget Avery at telephone number 571-272-6691.

  
Avery

December 18, 2006



CHRISTOPHER P. ELLIS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600